

the bill. (Haberman amendment appears on pages 1323-24 of the Legislative Journal.)

PRESIDENT MOUL: Senator Haberman.

SENATOR HABERMAN: Madam President, members of the body, my amendment pertains to the nominating commission and the nominating commission is made up of four attorneys and four lay people. The commission advances the names of those who wishes to be judges to the Governor. At the present time the nominating commission does not operate under, they say it does not operate under the public meeting laws. Now a public body shall mean governing bodies of all political subdivisions of the State of Nebraska, governing bodies of all agencies now or hereafter created by the Constitution of Nebraska, the statutes or otherwise pursuant to law of the executive department of the State of Nebraska. Underneath the public meeting law is all boards, commissions, bureau committees, councils, and subunits. Any other bodies now or hereafter created by the Constitution of Nebraska by statute or otherwise. The Certificate of Need Review Committee is underneath the law. Now the public meetings law shall not apply to such bodies unless such subcommittees are holding hearings, making policies, taking formal action on behalf of their parent body nor shall such sections apply to judicial proceedings unless a court or other judicial body is (1) this is what the law says, it shall not apply to judicial proceedings unless they're exercise rulemaking authority, they're deliberating or they're deciding upon the issuance of administrative orders. Now I particularly wasn't going to do this until I read in the paper the other day that the mayor of a small community was fined, I believe it was \$100, because he violated the open meetings law. He was fined \$100. The Low-Level Waste Commission or Committee got into trouble because they did not adhere to the open meetings law. Yet the courts who ruled that these people were wrong, they themselves are not under the open meetings law. The Supreme Court has said that in tax cases everyone should be treated equal. Well, this is treating everyone equal. The amendment says the nominating commission shall be underneath the open meetings law and treated equal like all other entities of the State of Nebraska. Everything we do, everything this body does is subject to public scrutiny. When we vote in the Executive Committee, it's by roll call, out loud vote. When we vote here on the floor it's on the board. When we vote for chairmen, the vote is recorded on the blackboard, 25 for whatever. Everything we do is open to the